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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/003,315

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Shang-Che Cheng

MR2857-5

4842

22907

7590

10/11/2005

BANNER & WITCOFF

1001 G STREET N W

SUITE 1100

WASHINGTON, DC 20001

EXAMINER

NEURAUTER, GEORGE C

ART UNIT

PAPER NUMBER

2143

DATE MAILED: 10/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/003,315

Applicant(s)

CHENG ET AL.

Examiner

George C. Neurauter, Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 04252005,07062005.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

1. Claims 1-15 are currently presented and have been examined.

Request for Information under 37 CFR 1.105

An issue of knowledge by others or public use or on sale activity has been raised in this application. In order for the Examiner to properly consider patentability of the claimed invention under 35 U.S.C. 102(a) and (b), additional information regarding this issue is required as follows:

Any information regarding the "GlobalXChange Enterprise Localization Management System (ELMS)" identified in the prior art document dated 17 August 1998 "Uniscape Announces New Solution for Automating Management of Software Localization Process", the "Net Dialect" product identified in the prior art document dated 20 February 1999 "Uniscape, Inc. Home Page", a "pilot program" system for providing "multilingual website management solutions" deemed by the Examiner to be possibly related to the "Net Dialect" product identified in the "Uniscape, Inc. Home Page" document and the prior art document dated 11 February 1999 "Uniscape Introduces Pilot Program to Provide Multilingual Website Management Solutions", "Uniscape's Global Enablement Methodology" and "enabling technologies" deemed by the Examiner to be possibly related to the "Net Dialect" and the "pilot program" system for providing

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"multilingual website management solutions" identified in the prior art documents "Personify Selects Uniscape to Globalize e-Business Solutions" and "VerticalNet Selects Uniscape as Globalization Provider to Speed Global Expansion", and the product "Uniscape Globalization Infrastructure (GI)" identified in the prior art document dated 18 October 2000 "Cephren Relies on Uniscape During Rapid Global eBusiness Expansion", all of these products being attributable to the assignee, is requested by the Examiner under 37 CFR 1.105 is being pertinent to the issue of patentability in this case. In view of the disclosures of the documents listed, the documents raise an issue as to whether the claimed invention, the features of which are broadly disclosed in the documents, was known and/or used by the public or subject to an offer for sale to the public and the Examiner has deemed any information concerning these products attributable to the assignee to be reasonably pertinent to the issue of patentability.

The Applicant is reminded that failure to fully reply to this requirement for information will result in a holding of abandonment. See 37 CFR 1.105(c). It is also noted that the requirement for information extends from individuals identified under 37 CFR 1.56(c) or any assignee to the instant application. See 37 CFR 1.105(a) and 37 CFR 1.56(c) ("Individuals associated

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with the filing or prosecution of a patent application within the meaning of this section are: (1) Each inventor named in the application; (2) Each attorney or agent who prepares or prosecutes the application; and (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.") It is further noted that one of the inventors named in the instant application discloses having knowledge of the products listed in the prior art documents "Uniscape Announces New Solution for Automating Management of Software Localization Process", "Uniscape Introduces Pilot Program to Provide Multilingual Website Management Solutions", "Personify Selects Uniscape to Globalize e-Business Solutions", "VerticalNet Selects Uniscape as Globalization Provider to Speed Global Expansion", and "Cephren Relies on Uniscape During Rapid Global eBusiness Expansion", the inventor disclosing his knowledge within the documents listed above.

In response to this requirement, please provide any examples concerning the above referenced products.

The Examiner is authorized to require the submission of this information since the Examiner has determined that such information is relevant to the patentability of the claimed

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invention. See *Star Fruits S.N.C. v. United States* (Fed. Cir. 2005) ("So long as there is some legitimate reason for seeking the information under section 1.105, the applicant has a duty to respond...The Office is authorized under section 1.105 to require any information that is either relevant to patentability under any nonfrivolous legal theory, or is reasonably calculated to lead to such relevant information").

The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained will be accepted as a complete response to the requirement for that item. See 37 CFR 1.105(a)(3).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United

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States and was published under Article 21(2) of such treaty in the English language.

Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 6 623 529 to Lakritz.

Regarding claim 1, Lakritz discloses a globalization management system for managing resources of multiple interrelated data sources corresponding to a plurality of sites accessed through a communications network ("country/language database and file systems"), comprising:

a plurality of target application interfaces ("adaptors"), each of said target application interfaces being respectively coupled to at least one of the interrelated data sources through the communications network (column 10, lines 40-42), each of said target application interfaces including means for converting a protocol of the respective data source ("original format") to a predetermined protocol ("internal format") and said predetermined protocol to said protocol of the respective data source (column 9, lines 4-9; column 10, lines 40-42; column 11, lines 36-60); and

a global management engine ("Workflow Manager") coupled to said plurality of target application interfaces, said global management engine communicating with each of said target application interfaces with said predetermined protocol (column

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11, lines 28-60; column 9, line 64-column 10, line 4), said global management engine including (a) a site-to-site relationship manager for identifying provider ("master site") and subscriber ("site" that has "documents that require translation") relationships, language translation, and localization requirements between the plurality of sites, (column 9, lines 44-47; column 9, line 64-column 10, line 4) (b) means for reading data representing current content from the interrelated data sources identified as provider sites by said site-to-site relationship manager, (c) means for comparing said data representing current content with data representing prior content to identify content changes at a respective provider site (column 9, lines 44-47), and (d) a project manager for transferring said data identified as a content change by said comparing means to at least one of said interrelated data sources identified as a subscriber site by said site-to-site relationship manager (column 11, lines 17-60).

Regarding claim 2, Lakritz discloses the globalization management system as recited in claim 1 where said project manager includes means for transferring said data identified as a content change by said comparing means to a language translation site ("translation resources") through the communications network responsive to said site-to-site

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relationship manager identifying said content change data as requiring language translation, said project manager including means for receiving data from said language translation site and transferring said received data to at least one of said interrelated data sources identified as subscriber site. (column 9, lines 44-47; column 11, lines 17-60)

Regarding claim 3, Lakritz discloses the globalization management system as recited in claim 1 where said project manager includes means for localizing said data identified as a content change by said comparing means responsive to said site-to-site relationship manager identifying said content change data as requiring localization. (column 12, lines 20-61)

Regarding claim 4, Lakritz discloses the globalization management system as recited in claim 1 where said global management engine is implemented on a server coupled to the communications network. (column 14, lines 38-48)

Regarding claim 5, Lakritz discloses the globalization management system as recited in claim 1 where said current content from the interrelated data sources is stored in a repository selected from the group consisting of a database system, a file system, a content management system and a combination thereof. ("country/language database and file systems") (see also column 10, lines 27-30 and 40-42)

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Claims 6-14 are also rejected since these claims recite a method that contain substantially the same limitations as recited in claims 1-3.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

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claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lakritz.

Regarding claim 15, Lakritz discloses the method as recited in claim 1 where said step of identifying includes the step of identifying site content requiring copying of said content for a predetermined site content subscriber as shown above regarding claim 14.

Lakritz does not expressly disclose wherein the identification step associates a HIDE flag with the site content requiring copying, however, Lakritz does disclose that the site content requiring copying is noted by the globalization management system. (column 9, lines 44-47)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Lakritz since the reference suggests that the site content

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requiring copying is noted by the globalization management system and that this notation is used to determine which site content requires content (column 9, lines 44-57). In view of these suggestions and teachings shown above, one of ordinary skill would have found it obvious to modify the reference so that any sort of notation associated with the site content including the use of a flag in order for the site content to be designated to be copied.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The prior art cited in the PTO-892 included with this Office Action discloses globalization management systems and methods similar to those claimed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George C. Neurauter, Jr. whose telephone number is (571) 272-3918. The examiner can normally be reached on Monday through Friday from 9AM to 5:30PM Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the

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organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

gcn


DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100